



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

MEMO ENDORSED

January 7, 2008

Hon. Stephen C. Robinson
United States District Judge
United States District Court
for the Southern District of New York
300 Quarropas Street
White Plains, New York 10601

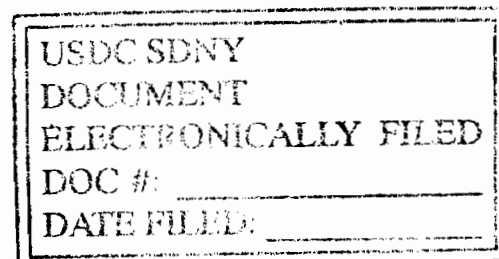
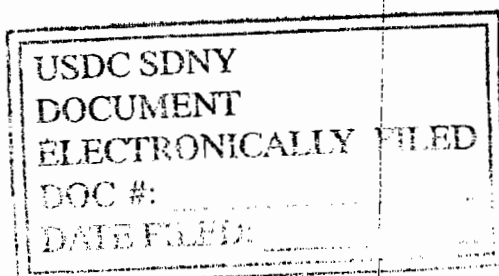
MEMO ENDORSED

Re: United States v. Nicholas Miritello
07 Cr. 603 (SCR)

Dear Judge Robinson:

With the consent of defense counsel, I write to advise the Court that the parties have reached an agreement with respect to a disposition of the charges in the above-captioned case. Your Honor's chambers has advised me that the Court's procedure is to refer criminal cases to the magistrate judge for entry of a guilty plea. Accordingly, I write to request that the conference previously scheduled for tomorrow at noon be cancelled in order to afford the parties the opportunity to appear before the magistrate judge for entry of a plea, a proceeding which we intend to schedule as expeditiously as possible.

Defense counsel has authorized me to report to the court that he has consented to an exclusion of time under the Speedy Trial Act of the period commencing January 8, 2008 and ending with the anticipated guilty plea proceeding.



Accordingly, the Government respectfully requests that the time period commencing January 8, 2008 and ending on January 30, 2008 be excluded under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Anne C. Ryan
Anne C. Ryan
(212) 637-2213

cc: Mayo Gregory Bartlett, Esq.
Young & Bartlett, LLP
81 Main Street
White Plains, New York 10601

*Time from Jan. 14, 2008 to Jan. 30, 2008
is excluded from the Speedy Trial calculations
for the reasons set forth above - d - the interests
of justice.*

SO ORDERED

Stephen C. Robinson
STEPHEN C. ROBINSON
UNITED STATES DISTRICT JUDGE

1/14/08